

## AMENDMENTS TO THE DRAWINGS

The objections to the drawings are noted. Corrected drawings, labeled as "Replacement Sheet" are attached. Applicant respectfully requests approval of the three Replacement Sheets of drawings corresponding to Figures 2, 4 and 7.

Paragraph 1 of the Action objects to both Figure 4 and Figure 2. With regard to Figure 4, Applicant has replaced reference sign "max" with " $a_{\max}$ " and likewise has replaced "0", "1" and "2" with " $f_0$ ", " $f_1$ " and " $f_2$ " respectively.

Similarly, with regard to Figure 2, Applicant has added the reference sign "1" to indicate that "time = 1 sec". Furthermore, " $\lambda$ " has been added to indicate the wavelength and "a" has been added to indicate the amplitude. Finally, Applicant respectfully submits there is no need to add "v" to Figure 2.

Paragraph 2 of the Action objects to Figure 7. In the Replacement Sheet enclosed herewith, Applicant has removed the "1" and the "8011" in Figure 7.

Paragraph 3 of the Action further objects to both Figure 2 and Figure 7. This objection has been overcome by the fact that "1" has been removed from Figure 7.

Applicant respectfully requests approval of the three replacement sheets of drawings enclosed herewith.

## **REMARKS**

Claims 1-16 stand rejected. The drawings stand objected to. The specification was objected to. Applicant has amended the drawings, specification and the claims, as well as added new dependent claims 17-20. An Information Disclosure Statement is attached. A request for a two-month extension of time is also enclosed. Applicant respectfully submits that all matters stated in the Action have been attended to and respectfully requests a Notice of Allowance directed to claims 1 - 20.

### **Claim Rejections-35 USC §112**

Applicant appreciates the suggestions in the Action for making the claims more definite. Applicant has incorporated the suggestions/amendments, wherever appropriate.

### **Claim Rejections-35 USC §102/103**

#### **1.) Samulon et al, U.S. Patent 3,076,861**

Applicant respectfully submits that the §102(b)/ §103(a) rejection of claims 1 - 14 over Samulon is inappropriate. With regard to the §102(b) rejection, Applicant notes that in order for a claim to be anticipated, each and every element as set forth in the claim must be found, either expressly or inherently, in a single prior art reference. Applicant respectfully submits that Samulon is deficient. In this regard, each of pending claims 1 - 14, either directly or indirectly, recites the restriction of undesirable incident frequencies of light within the photoreactive portion of the solar spectrum from becoming incident upon the solar cell photovoltaic substrate. This limitation is not found in Samulon.

Further, with regard to the §103(a) obviousness rejection over Samulon, Applicant notes that there is no suggestion of the aforementioned limitations in Samulon. It is critical in analyzing the patentability of pending claims 1 - 14 to not fall prey to the insidious effect of a hindsight syndrome wherein that which only the invention taught is used against its teacher. Accordingly, in view of the lack of disclosure or suggestion of Samulon regarding the aforementioned limitations, Applicant respectfully requests withdrawal of these rejections.

#### **2.) Strebkov et al, U.S. Patent 4,151,005**

Applicant respectfully submits that the §102(b)/ §103(a) rejection of claims 1 - 14 over Strebkov is inappropriate. With regard to the §102(b) rejection, Applicant notes that in order for a

claim to be anticipated, each and every element as set forth in the claim must be found, either expressly or inherently, in a single prior art reference. Applicant respectfully submits that Strebkov is deficient. In this regard, each of pending claims 1 - 14, either directly or indirectly, recites the restriction of undesirable incident frequencies of light within the photoreactive portion of the solar spectrum from becoming incident upon the solar cell photovoltaic substrate. This limitation is not found in Strebkov.

Further, with regard to the §103(a) obviousness rejection over Strebkov, Applicant notes that there is no suggestion of the aforementioned limitations in Strebkov. It is critical in analyzing the patentability of claims 1 - 14 to not fall prey to the insidious effect of a hindsight syndrome wherein that which only the invention taught is used against its teacher. Accordingly, in view of the lack of disclosure or suggestion of Strebkov regarding the aforementioned limitations, Applicant respectfully requests withdrawal of these rejections.

### **3.) Hashimoto, U.S. Patent 4,963,196**

Applicant respectfully submits that the §102(b)/ §103(a) rejection of claims 1 - 4 and 6 - 14 over Hashimoto is inappropriate. With regard to the §102(b) rejection, Applicant notes that in order for a claim to be anticipated, each and every element as set forth in the claim must be found, either expressly or inherently, in a single prior art reference. Applicant respectfully submits that Hashimoto is deficient. In this regard, each of pending claims 1 - 4 and 6 - 14, either directly or indirectly, recites the restriction of undesirable incident frequencies of light within the photoreactive portion of the solar spectrum from becoming incident upon the solar cell photovoltaic substrate. This limitation is not found in Hashimoto.

Further, with regard to the §103(a) obviousness rejection over Hashimoto, Applicant notes that there is no suggestion of the aforementioned limitations in Hashimoto. It is critical in analyzing the patentability of these claims to not fall prey to the insidious effect of a hindsight syndrome wherein that which only the invention taught is used against its teacher. Accordingly, in view of the lack of disclosure or suggestion of Hashimoto regarding the aforementioned limitations, Applicant respectfully requests withdrawal of these rejections.

### **4.) Aguilera et al, U.S. Patent 6,107,564**

Applicant respectfully submits that the §102(b)/ §103(a) rejection of claims 1 - 14 over Aguilera is inappropriate. With regard to the §102(b) rejection, Applicant notes that in order for a claim to be anticipated, each and every element as set forth in the claim must be found, either expressly or inherently, in a single prior art reference. Applicant respectfully submits that Aguilera

is deficient. In this regard, each of pending claims 1 - 14, either directly or indirectly, recites the restriction of undesirable incident frequencies of light within the photoreactive portion of the solar spectrum from becoming incident upon the solar cell photovoltaic substrate. This limitation is not found in Aguilera.

Further, with regard to the §103(a) obviousness rejection over Aguilera, Applicant notes that there is no suggestion of the aforementioned limitations in Aguilera. It is critical in analyzing the patentability of claims 1 - 14 to not fall prey to the insidious effect of a hindsight syndrome wherein that which only the invention taught is used against its teacher. Accordingly, in view of the lack of disclosure or suggestion of Aguilera regarding the aforementioned limitations, Applicant respectfully requests withdrawal of these rejections.

**5.) Samulon et al, U.S. Patent 3,076,861**

Applicant respectfully submits that the §103(a) rejection of claims 15 and 16 is inappropriate. Specifically, Samulon is silent regarding restricting undesirable energies from the photoreactive portion of the solar spectrum.

**Provisional, Obvious-type Double Patenting Rejection**

Applicant is willing to file a terminal disclaimer to overcome this non-statutory double patenting grounds of rejection. Applicant respectfully requests this requirement be held in abeyance until indication of allowable subject matter herein.

Should the Examiner deem that any further action by Applicant should be desirable, the Examiner is invited to telephone Applicant's undersigned representative.

Respectfully submitted,



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November 7, 2006

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